

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ELLIOT BROWN,)	CASE NO. 4:19CV2772
)	
Petitioner,)	SENIOR JUDGE
)	CHRISTOPHER A. BOYKO
vs.)	
)	
MARK WILLIAMS, Warden,)	MEMORANDUM OF
)	OPINION AND ORDER
Respondent.)	

CHRISTOPHER A. BOYKO, S.J.:

This matter is before the Court on Magistrate Judge Jonathan D. Greenberg's Report and Recommendation (Doc. 12) to grant Respondent's Motion to Dismiss (Doc. 10) Petitioner Elliot Brown's Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241 (Doc. 1). Magistrate Judge Greenberg also recommended denying as moot Petitioner's Motion for Appointment of Counsel (Doc. 8). Objections to the Report and Recommendation were due by April 20, 2021. Petitioner has not filed an objection to the Report and Recommendation.

Federal Rule of Civil Procedure 72(b) provides that objections to a report and recommendation must be filed within fourteen days after service. FED. R. CIV. P. 72(b)(2). Petitioner has failed to timely file any such objection. Therefore, the Court must assume that Petitioner is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be duplicative and an inefficient use of the Court's limited resources. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Court **ADOPTS** the Report and Recommendation (Doc. 12) of the Magistrate Judge; **GRANTS** Respondent's Motion to Dismiss (Doc. 10); **DISMISSES** Petitioner's Petition (Doc. 1); and **DENIES AS MOOT** Petitioner's Motion for Appointment of Counsel (Doc. 8).

The Court finds an appeal from this decision could not be taken in good faith. 28 U.S.C. § 1915(a)(3). Since Petitioner has not made a substantial showing of a denial of a constitutional right directly related to his conviction or custody, the Court declines to issue a certificate of appealability. 28 U.S.C. § 2253(c)(2); FED. R. APP. P. 22(b).

IT IS SO ORDERED.

s/ Christopher A. Boyko
CHRISTOPHER A. BOYKO
Senior United States District Judge

Dated: May 6, 2021